

Ministry of Labour Relations and Workplace Safety



Annual Report for 2013-14



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Letters of Transmittal



Her Honour, the Honourable Vaughn Solomon Schofield,
Lieutenant Governor of Saskatchewan

May it Please Your Honour:

I respectfully submit the Annual Report of the Ministry of Labour Relations and Workplace Safety for the fiscal year ending March 31, 2014.

The 2013-14 Annual Report shows how the Ministry of Labour Relations and Workplace Safety supported the Government's direction by delivering programs and services that fostered a safe, fair and productive labour environment.

I am proud of the Ministry's initiatives including the proclamation of legislation to support injured workers and the passage of legislation to consolidate labour laws in order to better protect workers, promote growth and increase accountability.

A handwritten signature in dark ink, appearing to read "D R Morgan".

Don Morgan, Q.C.
Minister of Labour Relations and Workplace Safety



The Honourable Don Morgan, Q.C.
Minister of Labour Relations and Workplace Safety

I have the honour of submitting the Annual Report of the Ministry of Labour Relations and Workplace Safety for the fiscal year ending March 31, 2014.

I acknowledge responsibility for this report and am pleased to provide assurances on the accuracy and reliability of the information contained within it.

This annual report highlights actions that help to build an environment in the province which respects rights, duties and responsibilities of employers and employees.

A handwritten signature in dark ink, appearing to read "Michael J.R. Carr".

Michael J.R. Carr
Deputy Minister of Labour Relations and Workplace Safety

Introduction

This annual report for the Ministry of Labour Relations and Workplace Safety presents the Ministry's results on activities and outcomes for the fiscal year ending March 31, 2014. It reports to the public and elected officials on public commitments made and other key accomplishments of the Ministry.

Although a renewed vision in the *Saskatchewan Plan for Growth – Vision 2020 and Beyond* was introduced in October 2012, the 2013-14 Annual Report will be presented in relation to the vision and goals that guided the development of the 2013-14 Plan.

Results are provided on publicly committed strategies, actions and performance measures identified in the 2013-14 Plan.

The report also demonstrates progress made on Government commitments as stated in the *Government Direction for 2013-14: Balanced Growth*, throne speeches, and other commitments and activities of the Ministry.

The annual report demonstrates the Ministry's commitment to effective public performance reporting, transparency and accountability to the public.

Alignment with Government's Direction

The Ministry's activities in 2013-14 align with Government's vision and four goals.

Our Government's Vision

A strong and growing Saskatchewan, the best place in Canada – to live, to work, to start a business, to get an education, to raise a family and to build a life.

Government's Goals

- Sustaining growth and opportunities for Saskatchewan people.
- Improving our quality of life.
- Making life affordable.
- Delivering responsive and responsible government.

Together, all ministries and agencies support the achievement of Government's four goals and work towards a secure and prosperous Saskatchewan.

Ministry Overview

Over the past year, the Ministry of Labour Relations and Workplace Safety (LRWS) has worked to develop strategies, involve stakeholders and deliver services that ensure a safe, fair and productive labour environment throughout the province.

The Ministry achieves its desired outcomes by encouraging, promoting and enforcing safe work practices and employment standards and by fostering an employment/labour environment that respects the rights, duties and responsibilities of employees and employers.

Delivery of Key Programs and Services

The Ministry is responsible for enforcing and promoting awareness of labour standards and occupational health and safety. The Ministry also provides mediation and conciliation services to help resolve workplace disputes as well as advocacy services on behalf of injured workers.

In 2013-14, the Ministry employed staff in its central office in Regina, eight Labour Standards offices (Estevan, Moose Jaw, North Battleford, Prince Albert, Swift Current, Yorkton, Saskatoon, and Regina) and six Occupational Health and Safety offices (Regina, Saskatoon, Prince Albert, Weyburn, Swift Current, Yorkton) across the province. The 2013-14 budget and FTE allocation for the Ministry was \$18,593,000 and 149.1, respectively. Actual FTE utilization was 151.0.

LRWS consists of five divisions:

Central Services (CS) assists the divisions within the Ministry in developing strategic policy and legislative initiatives that coincide with government objectives. CS is also responsible for financial management, budget development, annual planning and reporting as well as other essential administrative functions of the Ministry.

Labour Relations and Mediation (LRM) provides information, training and bargaining assistance through conciliation and mediation services to labour and management in unionized workplaces. LRM assists unions and management in resolving difficult labour disputes and work stoppages due to strikes or lockouts.

Labour Standards (LS) provides services to Saskatchewan employers and employees in support of fair and equitable workplace practices. LS enforces employment standards legislation and regulations and ensures that employees and employers are aware of their rights and responsibilities under these laws.

Office of the Workers' Advocate (OWA) works to ensure that any injured worker or dependant of an injured worker receives every consideration and entitlement due to them under *The Workers' Compensation Act, 2013*. OWA shares this mutual goal with the Workers' Compensation Board (WCB) and meets regularly with the WCB as they work together to achieve this goal.

Occupational Health and Safety (OHS) offers programs and services for workers and employers to help ensure safer workplaces and an improved culture of safety in Saskatchewan. OHS also provides effective oversight and enforcement of occupational health and safety standards and regulations by encouraging compliance via education and prosecutions where appropriate.

Progress in 2013 - 14

Government Goal: Growth

Strategy – FOSTER A COMPETITIVE AND PRODUCTIVE LABOUR ENVIRONMENT

Key Actions & Results

Seek stakeholder feedback on the legislative proposals with *The Saskatchewan Employment Act* and make necessary adjustments with a view towards receiving Royal Assent by the end of the Spring 2013 Legislative Session

- Bill 85, *The Saskatchewan Employment Act*, received Royal Assent on May 15, 2013.
- Over 800 submissions were received from interested parties on the content of Bill 85.
- Twenty-one House Amendments were made to the Bill.

Consult with stakeholders on the regulations associated with *The Saskatchewan Employment Act*

- A consultation letter was sent to over 600 stakeholder groups; and over 360 responses were received.
- The consultation process resulted in:
 - *The Minimum Wage Regulations, 2014*
 - *The Employment Standards Regulations*
 - *The Conditions of Employment Regulations*
 - *The Occupational Health and Safety (Prime Contractor) Regulations*
 - *The Occupational Health and Safety Amendment Regulations, 2014*
 - *The Labour Relations (Supervisory Employees) Regulation*
- In addition, *The Regulations and forms, Labour Relations Board* have been repealed.

Proclaim *The Workers' Compensation Act, 2013* in force for January 1, 2014, in response to the recent review and recommendations of the Committee of Review established under *The Workers' Compensation Act, 1979*

- *The Workers' Compensation Act, 2013* was proclaimed into force on January 1, 2014.
- *The Workers' Compensation Act Exclusion Regulations, 2014* came into force on March 6, 2014.

Work with counterparts in other Canadian jurisdictions to identify and promote best practices in employment and occupational health and safety standards and labour relations

- Ministry officials continue to work with counterparts as the Government's representative on the subcommittees of the Canadian Association of Administrators of Labour Legislation (CAALL).

- The Office of the Workers' Advocate (OWA) continues to work with counterparts from other jurisdictions as part of the Canadian Association of Workers' Advisors and Advocates to identify and implement best practices in advocacy and representation services for injured workers as well as exploring issues and trends relevant to workers across Canada.

- In 2013, the Labour Standards Division hosted a meeting with western counterparts during the CAALL Minister's meeting in September 2013.

- The Western Provinces' Occupational Exposure Levels Committee (OEL) met to advance the interprovincial harmonization of exposure limits. In addition, the OEL SharePoint site was used to communicate between the western provinces. The Committee continues to jointly review each provincial proposal for OEL changes with the goal of seeking methods for harmonization.

- The Occupational Health and Safety Division also participated on inter-sectoral meetings with members of the Standards Council of Canada to explore options to better monitor and streamline standards across Canadian jurisdictions.

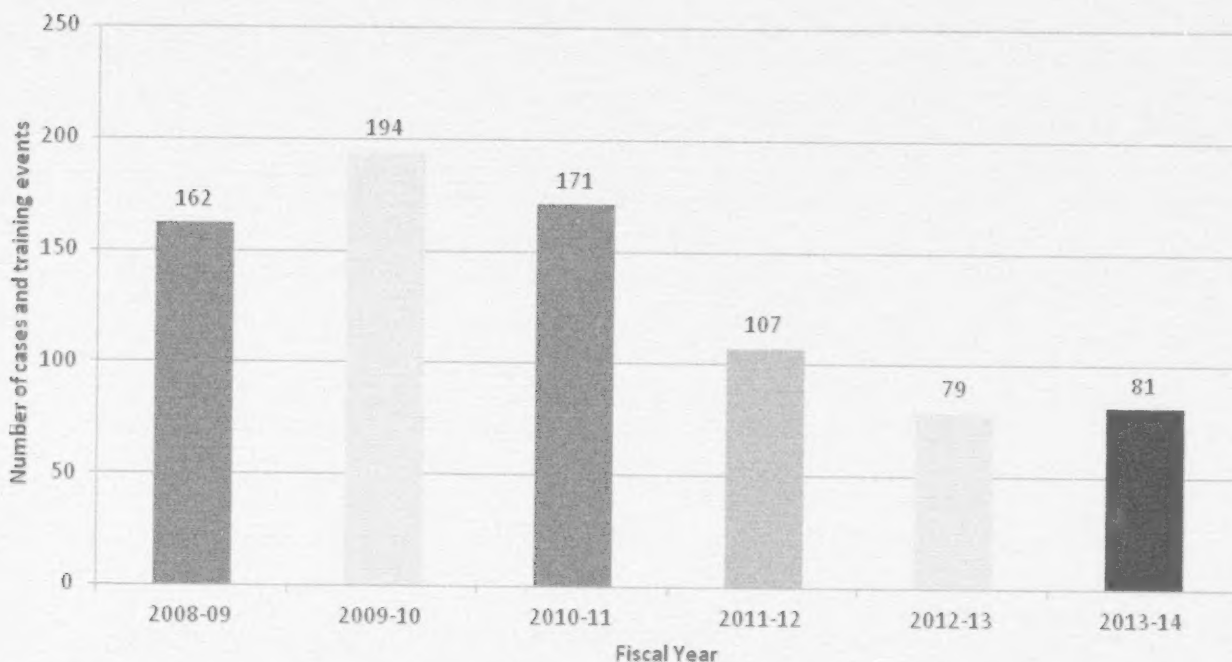
Provide conciliation and mediation services to employers and unions requesting assistance to resolve disputes, conclude negotiations, or to establish or renew collective agreements

- Labour Relations and Mediation (LRM) has provided assistance for a number of collective bargaining and collective agreement disputes, as well as disputes within workplaces.
 - Examples include: City of Regina Transit and Amalgamated Transit Union; Coop Refinery and Unifor; Degelman Industries and United Steel Workers; as well as health regions, school divisions and government ministries/agencies.

Progress in 2013 – 14

Industry Measure

GRAPH #1: Total number of cases and training events provided by Labour Relations and Mediation (LRM) Division



Source: Statistics are collected internally.

The LRM Division is responsible for facilitating solutions to conflict between employers, employees and unions.

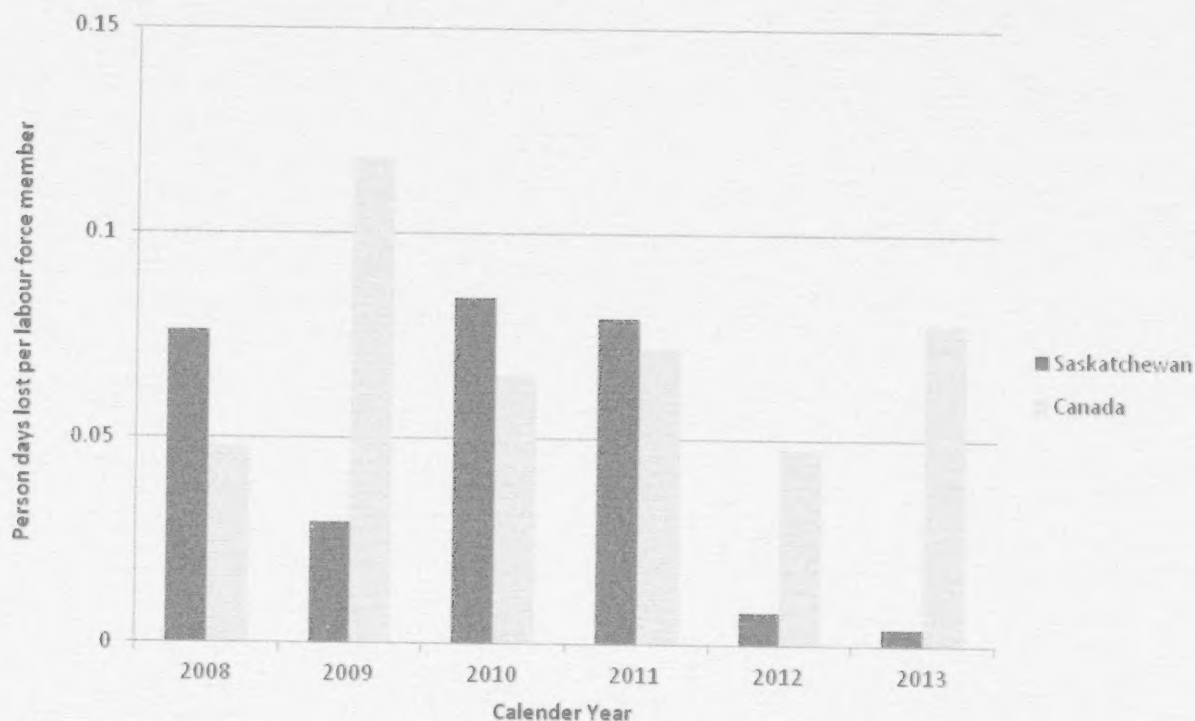
The graph shows the number of the various types of services provided by the Division. The graph above illustrates that there has been a downward trend with respect to demand on the services offered by the Division.

Demand is relative to the ebbs and flows of the collective bargaining process, the prosperity of the economy and the disposition of the labour environment and is therefore cyclical as illustrated by the graph above.

Progress in 2013 – 14

Industry Measure

GRAPH #2: Saskatchewan's person days lost (due to labour disputes) performance compared to Canada's



Source: Statistics Canada's Labour Force Survey.

The graph above represents the portion of a day lost due to a strike or lockout per individual labour force member (worker) per year in Saskatchewan and Canada. The figure for Canada captures the person days lost in all provinces and territories, including workers under federal jurisdiction.

In 2008, the figure for Saskatchewan was around 0.08 person days lost per year per labour force member. For Canada, the figure was 0.05. This means that Saskatchewan had a higher average of person days lost when compared to the Canadian average as a whole.

Although there has been a downward trend in person days lost due to job action, Saskatchewan's person days lost have been higher than the national average for three of the past six years. Last year, 2013, illustrates that practically no time was lost in Saskatchewan. Saskatchewan lost 0.004 person days lost per year per labour force member while Canada's figure was around 0.047.

It is important to note that the Ministry has no direct control over labour stability as a whole. The Ministry assists by providing mediation and conciliation services to help

facilitate positive collective bargaining outcomes. The number of strikes and lockouts can fluctuate depending on the number of expired agreements, union density, and the disposition of the labour environment.

The figures are attained by dividing the average annual size of the labour force for each jurisdiction by the number of person days lost due to strikes and lockouts.

Progress in 2013 – 14

Government Goal: Quality of Life

Strategy – ENCOURAGE HEALTHY, SAFE AND FAIR WORKPLACES

Key Actions & Results

Educate employers and employees about employment standards and occupational health and safety in Saskatchewan (**Saskatchewan Plan for Growth** – page 44)

- In 2013-14, the Labour Standards Division continued to work with employers and employees holding 32 information sessions across the province.
- Fifteen new and revised occupational health and safety publications were posted online, and 33 publication summaries were transposed into web text and added to the website.

Enforce compliance with employment standards and occupational health and safety legislation and regulation through inspections and investigations (**Saskatchewan Plan for Growth** – page 44)

Labour Standards:

- The Division received 2,023 formal complaints during the 2013-14 fiscal year.
- The Division completed 2,008 investigations with an average time to completion of 100.5 days.
- The Hosted Contact Centre received 31,442 phone and 879 web/email enquiries.

Occupational Health and Safety:

- Completed 2,483 onsite inspections of workplaces.
- Issued 3,556 notices of contravention that direct corrective action to improve safety.
- Issued 226 stop work orders.
- Received over 80 high-risk asbestos notifications.

Encourage workplaces to adopt best practices in the areas of employment standards, occupational health and safety and labour relations

- In the Occupational Health and Safety Division, a new targeted intervention model was developed and implemented which included conducting 28 targeted interventions with high risk employers which resulted in the development of 26 safety improvement plans to reduce injuries.

Continue to deliver the Young Worker Readiness Certificate Course

- In 2013-14, 25,961 certificates were issued. The total number of certificates issued since its launch in February 2010 is 40,659.

Work with stakeholders and workplaces to implement the recommendations from the Workplace Responsibility System review such as Phase II of the OHS Portal Project

- Phase II of OHS Portal system was completed, including enhancements to allow further integration and communication between the Ministry and employers.
- Internal development of the Portal was completed in February 2014.

Focus additional resources on ensuring compliance with occupational health and safety standards in the health sector

- *WorkSafe Saskatchewan* developed and implemented a health care strategy to reduce workplace injuries in the 13 facilities with the highest volume of injuries across the health care sector.
- The 2013 total injury rate for health care was 10.52 per cent. This was a 13.8 per cent reduction from 2012 and significantly exceeds the *WorkSafe Saskatchewan* 2013 target of 11.2 per cent.

Continue to work with the Ministry of Agriculture on the voluntary injury prevention and risk assessment program for farm and ranch operations

- The Ministry of Agriculture continues to have representation on the Farm Health and Safety Council, whose mandate is to promote the health, safety and protection of persons on farms.
- The Ministry contributed statistical information to the Canadian Centre for Health and Safety in Agriculture.

Continue working with Executive Government to implement programs that will ensure compliance with the 2010 Health and Safety Leadership Charter

- Support the Safety Champions group through data analysis of Executive Government injuries.

Work with the Workers' Compensation Board (WCB) to develop injury prevention strategies through *WorkSafe Saskatchewan*

- The health care injury reduction strategy was significantly revised to be more focused and outcomes based.
- Initial revisions were made to manufacturing and public sector strategies to bring them into alignment with the more focused, outcomes-based direction of *WorkSafe Saskatchewan*.

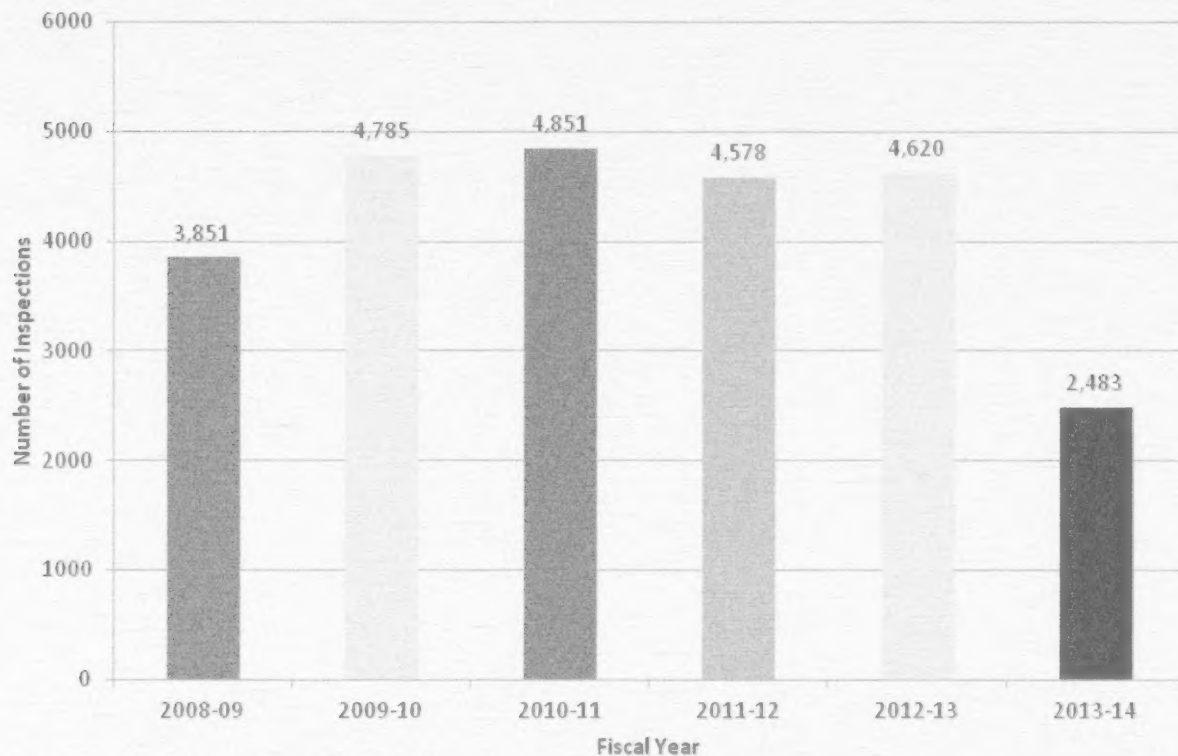
Educate injured workers about the workers' compensation system and the role of the Office of the Workers' Advocate (OWA)

- OWA participated in three educational seminars on workers' compensation.
- OWA hosted information tables at two events.
- OWA provided advice, guidance and/or representation services to 1,811 individuals who made enquiries to the Division.
- OWA was involved in 397 appeals with a success rate of 73 per cent.

Progress in 2013 – 14

Performance Measure & Results

GRAPH #3: Total number of Occupational Health and Safety inspections per fiscal year



Source: Statistics on the number of inspections are collected internally.

The graph above illustrates the total number of inspections conducted year over year. The Occupational Health and Safety Division implemented a new targeted intervention strategy in 2013, resulting in a lower number of inspections conducted during the year but a much higher number of targeted interventions with those employers driving Saskatchewan's high injury rate.

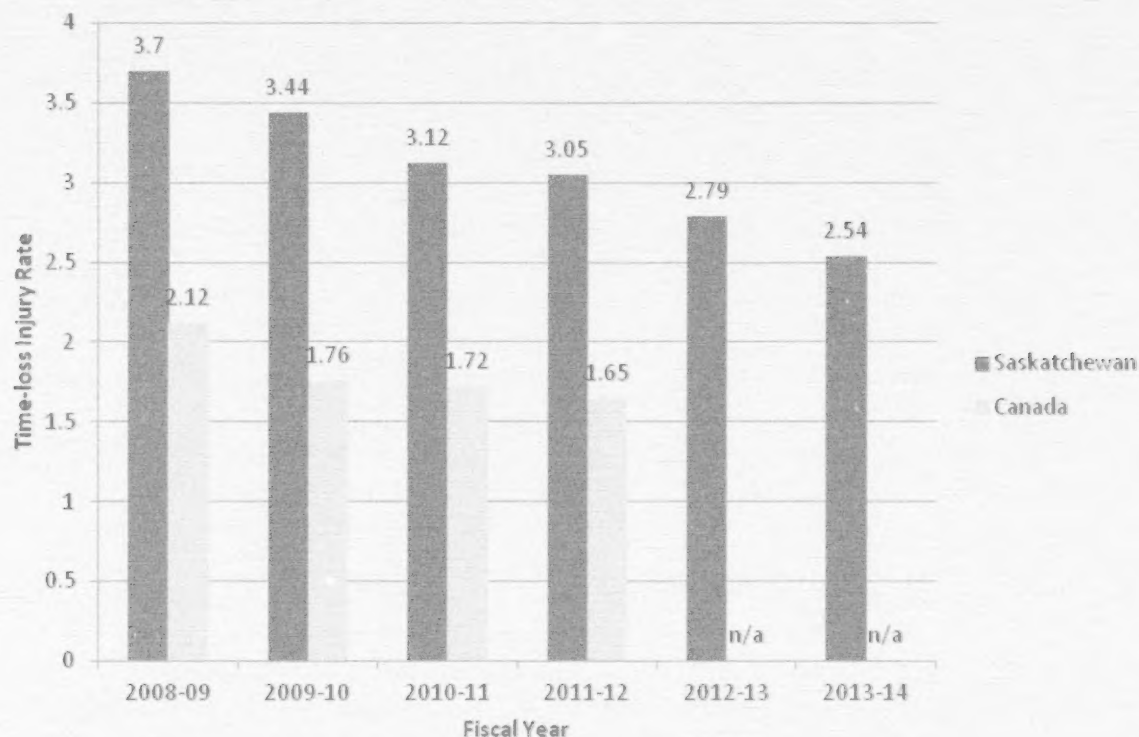
The Occupational Health and Safety Division plans and undertakes targeted interventions with workplaces to verify and enforce compliance with occupational health and safety legislation. Officers work with employers, their occupational health committees and occupational health and safety representatives to identify potentially unsafe or hazardous working conditions to ensure safe, healthy and productive workplaces.

Employers are selected for targeted interventions through risk analysis based on the type and the number of injuries occurring in a workplace. Other inspections are done in response to incidents or complaints. Data on the number of inspections is collected internally by the Ministry.

Progress in 2013 – 14

Industry Measure

GRAPH #4: Time-loss injury rate (per 100 full-time equivalent workers)



Source: Statistics on the time-loss injury rate is collected by the Worker's Compensation Board and can be found in its annual report.

The graph above illustrates that Saskatchewan's time-loss injury is at the lowest rate since 2008. Despite the steady decline, there is still much work to do as Saskatchewan's rate remains above the national average. (The national figures are unavailable for the last two reporting years.)

This measure provides an indicator of the number of lost-time injuries (workplace injuries that result in time away from work) reported to, and accepted by, the Workers' Compensation Board (WCB) per 100 full-time equivalent workers. A reduction in the number of lost-time claims indicates fewer workers being injured on the job.

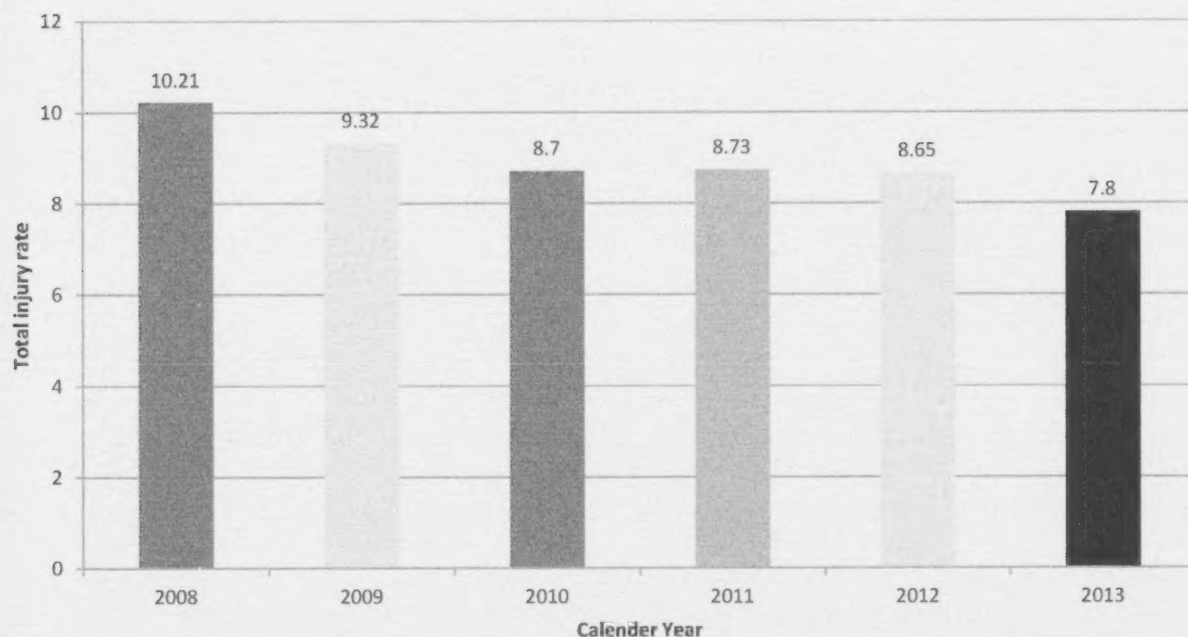
The data is based on WCB statistics and covers only those workers covered by *The Workers' Compensation Act, 2013*. There are many factors that can influence workplace injury rates and time-loss rates, including the type of industry, changing demographics and the positive employment growth Saskatchewan has been experiencing. Given that the Ministry has limited direct influence on the overall workplace injury rates, collaborative efforts with employers and other safety organizations is needed to further decrease injury rates in the province.

Safe and healthy workplaces are a key contributor to economic growth and prosperity. While the workplace time-loss injury rate shows the lowest rate in years, Saskatchewan continues to have the second highest workplace injury rate in Canada. Government can influence this rate through safety awareness efforts, injury prevention campaigns and through enforcement of employment legislation and regulations.

Progress in 2013 – 14

Industry Measure

GRAPH #5: Total injury rate (per 100 full-time equivalent workers)



Source: Statistics on the total injury rate are collected on an annual basis by the Worker's Compensation Board and can be found in its annual report.

The graph above illustrates the decline in the total injury rate in Saskatchewan, making it clear that the occupational health and safety efforts and partnerships are having a positive impact on the health and safety of Saskatchewan's workplaces.

The total injury rate is based on the number of injuries reported to and accepted by the WCB. It identifies injuries that involve both time-loss and no time-loss, expressed as a portion of 100 full-time equivalent workers. A reduction in the number of total claims indicates fewer workplace incidents and can be used to assess movement toward achievement of Mission: Zero, the elimination of work-related injuries and illnesses. This measure considers only those workers covered by *The Workers' Compensation Act, 2013*.

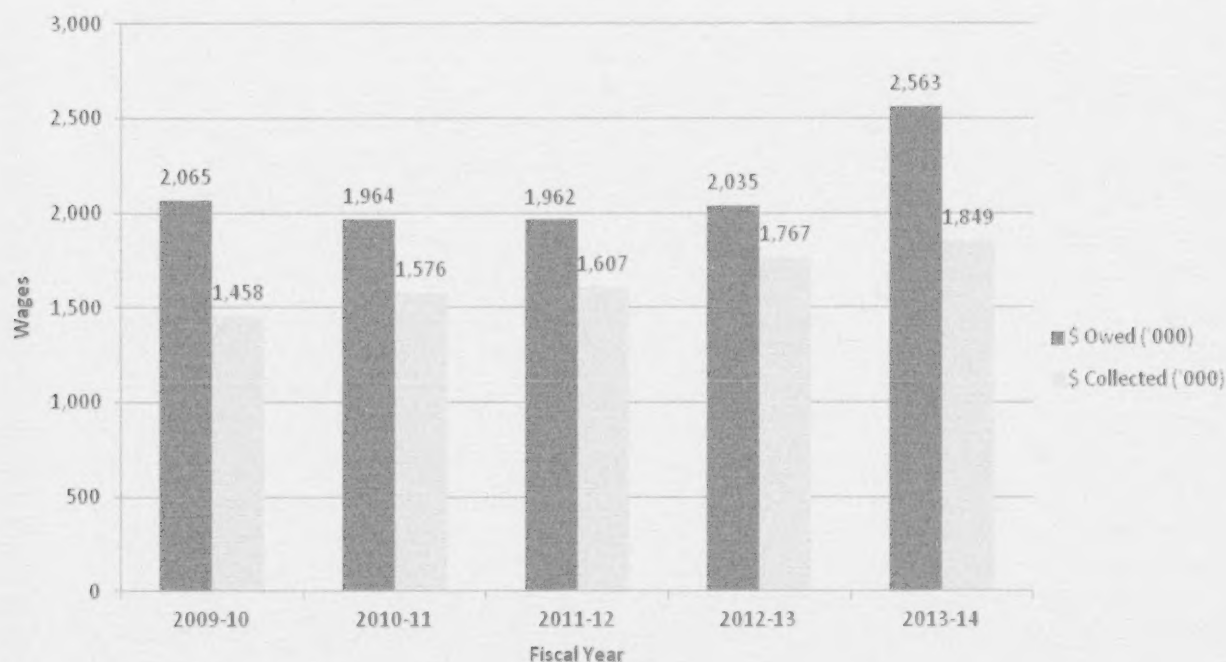
In 2013, the Ministry placed greater emphasis on the development and execution of targeted intervention strategies, which deploy resources in a more focused manner by targeting those employers that present the greatest opportunities to realize improvements in safety outcomes.

Even with the limited direct influence the Ministry has on the overall workplace injury rate, Government can still impact the total injury rate through public education and targeted intervention strategies. Going forward, a key indicator will be the extent to which efforts realize significant, sustained improvements to achieve zero injury rates among Saskatchewan employers.

Progress in 2013 – 14

Industry Measure

GRAPH #6: Employee wages found owing and collected by the Labour Standards Division



The graph above shows the total amount of wages owed and collected in a given year. Over the last five years, the amount of wages collected has increased by 26.8 per cent; while the amount owing has increased 24.1 per cent. During this time, Saskatchewan's labour force has increased about 5.4 per cent from 539,200 in 2008-09 to 568,500 in 2012-13.

The Labour Standards Act provides the Ministry the authority to determine and collect outstanding wages owed to employees. The amount owed is determined following an investigation by a Labour Standards Officer, prompted by an employee complaint alleging unpaid wages. The Officer investigates the claim and identifies any outstanding wages, the amount owed, and works with the employer to ensure payment is made to the employee. Once they understand the requirements, most employers come into compliance and make voluntary payments.

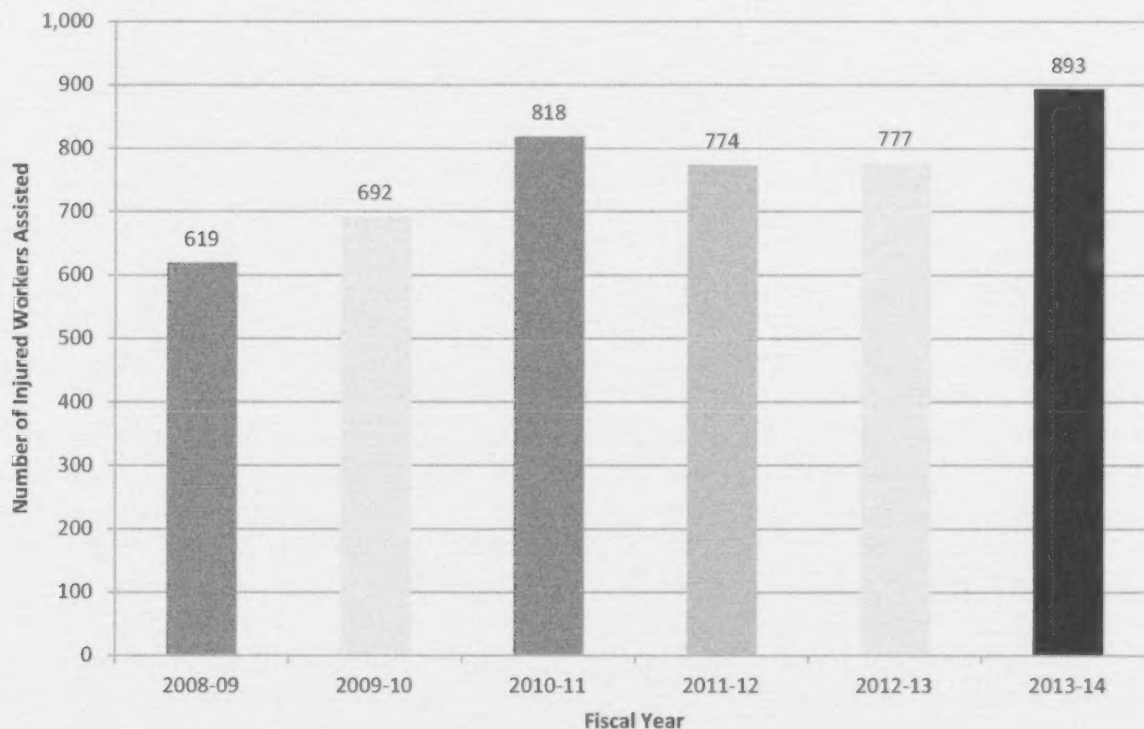
The total amount collected is the amount the Labour Standards Division has collected on the wages deemed owed. The Division employs a number of tools to ensure collection where employers have not made voluntary

payments. The Director may take legal action to collect outstanding wages. The legal action is typically through the issuance of a wage assessment, which is appealable to an independent adjudicator. Wage assessments that are upheld or partially upheld are then filed with the Court of Queen's Bench as a judgment. The judgment can be enforced through a number of collection mechanisms.

Progress in 2013 – 14

Industry Measure

GRAPH #7: Number of injured workers provided assistance with respect to their WCB claims



Source: Statistics on the number of injured workers are collected internally.

The figures for 2013-14 are consistent with and continue the upward trend in number of workers assisted by the Office of the Workers' Advocate (OWA) since 2008-09.

The OWA is mandated under *The Workers' Compensation Act, 2013* to provide assistance to injured workers in respect to a claim being advanced for compensation. Early intervention and positive outcomes for these injured workers is a key contributor to fostering healthy and productive workplaces.

This measure illustrates the number of Saskatchewan injured workers claim files opened and reviewed by the OWA. While there are more claims than the numbers illustrate here, not all claimants will require the assistance of the OWA. The numbers in the graph above only indicate those whose file was opened and a full review and assessment provided by an Advocate. Over twice as many injured workers as depicted in this measure contacted the OWA and were provided some level of advice and/or guidance.

Of the injured workers the OWA assisted in 2013-14, successful appeals resulted in almost \$1.8 million being awarded in back pay alone. This does not include

ongoing wage loss entitlements, medical costs, vocational rehabilitation training, etc.

By providing effective assistance and advocacy on WCB claims, disputes or appealable issues, the OWA is able to foster more timely and equitable resolutions. This contributes to the overall effectiveness of the workers' compensation system, to the health of the injured worker, and to the productivity of the businesses involved.

Progress in 2013 - 14

Government Goal: Responsive and Responsible Government

Strategy – IMPROVE EFFECTIVENESS AND EFFICIENCY

Key Actions & Results

Continuing to improve service delivery and management practices to better respond to the needs of clients
(**Saskatchewan Plan for Growth** – pages 45 and 57)

- The Office of the Workers' Advocate (OWA) continues to survey clients who have been in receipt of service from the Office.

Review Ministry programs and services to ensure they meet the needs of the public (**Saskatchewan Plan for Growth** – page 57)

- The OWA will continue to meet regularly with the Workers' Compensation Board on our shared goals of ensuring the workers' compensation system is fair, accountable and responsive to the needs of injured workers; and ensuring that injured workers receive the benefits they are entitled to pursuant to *The Workers' Compensation Act, 2013*.
- The Ministry continues to review programs and services to ensure that citizens' needs are being met in an efficient and effective manner. Four program reviews were undertaken in 2013-14.

2013 - 14 Financial Overview

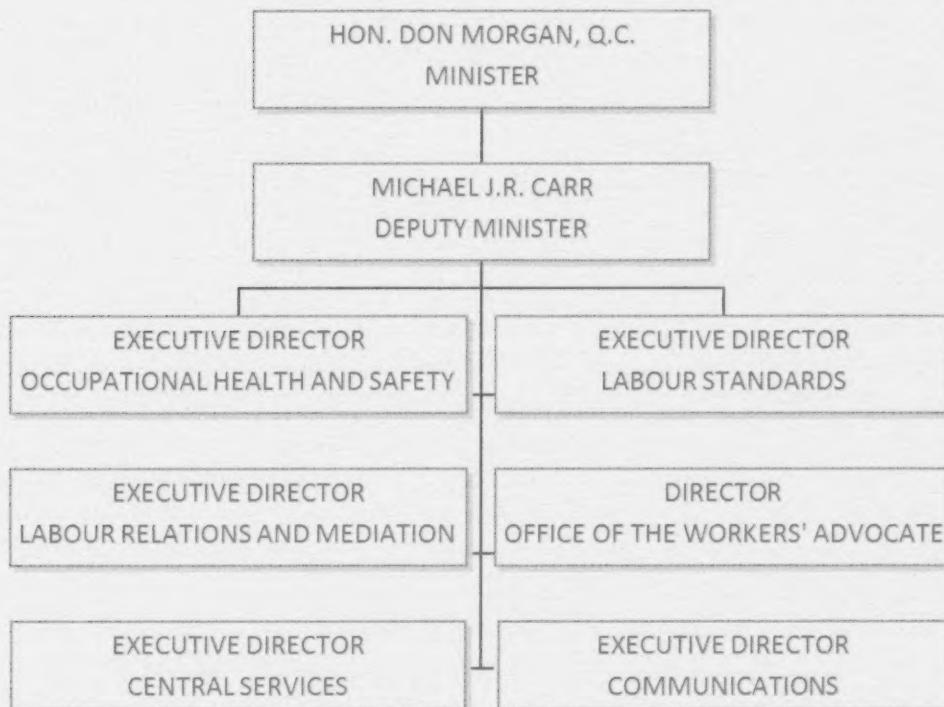
Ministry of Labour Relations and Workplace Safety

Schedule of Revenue and Expenditures		(in thousands of dollars)			Notes
	2012-13 Actual	2013-14 Budget	2013-14 Actual	2013 -14 Variance	
Revenue					
Proceeds from other Funds	\$10,701	\$11,212	\$11,724	\$512	
Receipts from Federal Government	\$241	\$250	\$187	(\$63)	2
Privileges, Licenses and Permits	\$9	-	\$2	\$2	
Sales, Services and Service Fees	\$54	\$51	\$54	\$3	
Other Revenue	\$9	\$9	\$13	\$4	
Total Revenue	\$11,014	\$11,522	\$11,980	\$458	
Expense					
Central Management and Services	\$4,299	\$4,701	\$3,732	(\$969)	3
Occupational Health & Safety	\$7,519	\$8,545	\$8,637	\$92	4
Labour Standards	\$2,699	\$2,781	\$2,777	(\$4)	
Labour Relations Board	\$888	\$1,017	\$951	(\$66)	5
Labour Relations and Mediation	\$814	\$830	\$718	(\$112)	6
Workers' Advocate	\$752	\$719	\$762	\$43	
Expenditures/Appropriation	\$16,971	\$18,593	\$17,577	(\$1,016)	
Capital Asset Acquisitions	(\$29)	(\$250)	(\$247)	\$3	
Amortization of Capital Assets	\$99	\$97	\$124	\$27	
Prepaid Expenses	(\$5)	-	(\$14)	(\$14)	
Total Revised Estimates and Expenses	\$17,036	\$18,440	\$17,440	(\$1,000)	
FTE Staff Complement	150.5	149.1	151.0	1.9	7
(FTE-Full-Time Equivalent)					

Explanation of Major Variances:

- Higher than anticipated revenue from the Workers' Compensation Board (WCB) due mainly to reimbursement of OHC Portal/SIMS capital project and other operating expenses. The WCB reimburses the Ministry of Labour Relations and Workplace Safety (LRWS) for all expenses incurred for the Occupational Health and Safety Division (OHS) and the Office of the Workers' Advocate (OWA).
- The Ministry has a Federal-Provincial Cost-Sharing Agreement for Uranium Mines inspection. During the year, the Ministry conducted a smaller number of inspections, spending more time in the office developing projects.
- The variance in Central Management and Services is a result of savings in information technology costs; accommodation; and communications funding.
- The variance is caused by the first phase of the decommissioning of the radiation lab located at 1870 Albert Street in Regina.
- Savings due to lower than expected salaries and travel costs.
- Savings due to lower than expected salaries.
- Variance includes 0.9 students as well as term FTEs for the Labour Legislation Review and *The Workers' Compensation Act, 1979* Legislative Review.

Appendix A: Ministry of Labour Relations and Workplace Safety Organization Chart



Appendix B: Legislation

The Ministry of Labour Relations and Workplace Safety is responsible for four Acts and associated regulations:

- *The Building Trades Protection Act*
- *The Construction Industry Labour Relations Act, 1992*
- *The Employment Agencies Act*
- *The Fire Departments Platoon Act*
- *The Health Labour Relations Reorganization Act*
- *The Human Resources, Labour and Employment Act*
- *The Labour Management Dispute (Temporary Provisions) Act*
- *The Labour Standards Act*
- *The Occupational Health and Safety Act, 1993*
- *The Public Service Essential Services Act*
- *The Radiation Health and Safety Act, 1985*
- *The Saskatchewan Employment Act*
- *The Trade Union Act*
- *The Victims of Workplace Injuries Day of Mourning Act*
- *The Wages Recovery Act*

For More Information

If you have any questions or comments, or would like additional copies of the 2013-14 Annual Report, we invite you to call (306) 787-9478 or contact:

Labour Relations and Workplace Safety
Communications
1120-2010 12th Avenue
REGINA, SK S4P 0M3

To download a copy of the report or to obtain more information about programs and services contained in this annual report, please visit the Ministry's website at saskatchewan.ca.